## **American Contractors Indemnity Company**

THE UNITED STATES DISTRICT COURT,	NORTHERN	DISTRICT OF CALL
		POWER OF ATTOR
		ON FILE WITH
DISCOURAGE AND	)	CLERK, U.S. DISTRICT
PERSEUS DISTRIBUTION, INC., AND	)	(Indle) Lew
PERSEUS BOOKS, LLC,	)	DEPUTY CLERK
Plaintiff,	)	No. C 08-044 CW
vs.	)	UNDERTAKING FOR
CE COMMUNICATIONS LLC DRA	)	TEMPORARY RESTRAINING
CF COMMUNICATIONS, LLC, DBA TELEKENEX, INC.,	,	ORDER
Defendant.	)	
	· ·	
an WHEREAS, the above named P	LAINTIFF	DANIBIC ORDER
desire(s) to give an undertaking forTEM		RAINING ORDER
as provided by se		of California
Code of Civil Procedure and as	provided by	applicable rules of the Federal
Rules of Civil Procedure.		
NOW, THEREFORE, the undersig	ned surety,	does hereby obligate itself, jointly
and severally to CF COMMUNICAT		
		atutory obligations in the sum of
SIXTY THOUSAND AND NO/100THS		Dollars
(\$ 60,000.00 ).		
IT IS FURTHER AGREED by the the part of the Surety, the Coudays, proceed summarily and retheir obligation and award execution	rt may, upor nder judgmer	in case of default or contumacy on notice to it of not less that ten against it in accordance with
Signed, sealed and dated this 7 <sup>TH</sup> 20 08 .	d	ay of JANUARY ,
BOND NO. 320971		
PREMIUM: \$1,100.00		M.
	DV.	
	BY: Paul D	). Fazzio Attorney-in-fact

American Contractors Indemnity Company 9841 Airport Blvd., 9<sup>th</sup> Floor Los Angeles, CA 90045 310 - 649 - 0990

## **American Contractors Indemnity Company**

9841 Airport Blvd., 9th Floor Los Angeles, California 90045



## **POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS:

That American Contractors Indemnity Company of the State of California, a California corporation,	does	hereby	appoint,
David J. Carter or Paul D. Fazzio of Petaluma, California			

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business and to bind the Company thereby, in an Amount not to exceed \$ \*\*\* 3,000,000.00\*\*\* . This Power of Attorney shall expire without further action on June 29, 2009.

This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following Resolution adopted by the Board of Directors of AMERICAN CONTRACTORS INDEMNITY COMPANY at a meeting duly called and held on the 6th day of December, 1990.

"RESOLVED that the Chief Executive Officer, President or any Vice President, Executive Vice President, Secretary or Assistant Secretary, shall have the power and authority

- To appoint Attorney(s)-in-Fact and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof and,
- 2. To remove, at any time, any such Attorney-in-Fact and revoke the authority given.

RESOLVED FURTHER, that the signatures of such officers and the seal of the Company may be affixed to any such Power of Attorney or certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking to which it is attached."

IN WITNESS WHEREOF, American Contractors Indemnity Company has caused its seal to be affixed hereto and executed by its Executive Vice President on the 9<sup>th</sup> day of January, 2007.

CLIFORNIA

AMERICAN CONTRACTORS INDEMNITY COMPANY

STEVE FEDUNAK

Comm. No. 1593578 NOTARY PUBLIC - CALIFORNIA LOS ANGELES COUNTY My Comm. Exp. June 29, 2009

Adam S. Pessin, Executive Vice President

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

On this 9th day of January, 2007, before me, Steve Fedunak, a notary public, personally appeared Adam S. Pessin, Executive Vice President of American Contractors Indemnity Company, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal. Signature of Notary My Commission expires June 29, 2009

I, Jeannie J. Kim, Corporate Secretary of American Contractors Indemnity Company, do hereby certify that the Power of Attorney and the resolution adopted by the Board of Directors of said Company as set forth above, are true and correct transcripts thereof and that neither the said Power of Attorney nor the resolution have been revoked and they are now in full force and effect.

IN WITNESS HEREOF, I have hereunto set my hand this <b>7</b> m da	y of <u>January</u> , 2008.
	Courie ()
Bond No. 320971	Jeannie J. Kim, Corporate Secretary
Agency No. 2502	